

WEST VIRGINIA LEGISLATURE
2016 FIRST EXTRAORDINARY SESSION

Enrolled

Senate Bill 1002

BY SENATORS COLE (MR. PRESIDENT) AND KESSLER

(BY REQUEST OF THE EXECUTIVE)

[Passed May 27, 2016; in effect from passage]

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2016 JUN -2 P 4: 08

FILED

SB 1002

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Senate Bill 1002

BY SENATORS COLE (MR. PRESIDENT) AND KESSLER

(BY REQUEST OF THE EXECUTIVE)

[Passed May 27, 2016; in effect from passage]

1 AN ACT expiring funds to the unappropriated balance in the State Fund, General Revenue, for
2 the fiscal year ending June 30, 2016, in the amount of ~~\$1,000,000 from the Governor's~~
3 ~~Office, Civil Contingent Fund, fund 0105, fiscal year 2004, organization 0100,~~
4 ~~appropriation 61400; in the amount of \$1,000,000 from the Governor's Office, Civil~~
5 ~~Contingent Fund Total Surplus, fund 0105, fiscal year 2005, organization 0100,~~
6 ~~appropriation 23800; in the amount of \$1,000,000 from the Governor's Office, Civil~~
7 ~~Contingent Fund, fund 0105, fiscal year 2006, organization 0100, appropriation 61400;~~
8 \$3,150,000 from the Joint Expenses, Tax Reduction and Federal Funding Increased
9 Compliance (TRAFFIC), fund 0175, fiscal year 2009, organization 2300, appropriation
10 64200; in the amount of \$3,000,000 from the Treasurer's Office, Personal Income Tax
11 Reserve Fund, fund 1313, fiscal year 2016, organization 1300; in the amount of
12 \$8,500,000 from the Attorney General, Consumer Protection Recovery Fund, fund 1509,
13 fiscal year 2016, organization 1500; in the amount of \$2,500,000 from the Department of
14 Health and Human Resources, West Virginia Health Care Authority – Health Care Costs
15 Review Fund, fund 5375, fiscal year 2016, organization 0507; in the amount of
16 \$32,000,000 from the Department of Revenue, Office of the Secretary – Revenue Shortfall
17 Reserve Fund, fund 7005, fiscal year 2016, organization 0701; in the amount of
18 \$5,000,000 from the Department of Revenue, Insurance Commissioner – Insurance
19 Commission Fund, fund 7152, fiscal year 2016, organization 0704; in the amount of
20 \$4,631,089.49 from the Department of Revenue, Lottery Commission, Operating and
21 Expenses Fund, fund 7200, fiscal year 2016, organization 0705; and in the amount of
22 \$2,000,000 from the Public Service Commission, fund 8623, fiscal year 2016, organization
23 0926.

EBT

24 Whereas, The Governor submitted to the Legislature the Executive Budget document,
25 dated January 13, 2016, which included a Statement of the State Fund, General Revenue, setting
26 forth therein the cash balance as of July 1, 2015, and further included the estimate of revenues

27 for the fiscal year 2016, less net appropriation balances forwarded and regular appropriations for
28 the fiscal year 2016; and

29 Whereas, Current economic and fiscal trends are anticipated to result in projected year-
30 end revenue deficits, including potential significant shortfalls in Severance Tax, and shortfalls in
31 Personal Income Tax and Consumers Sales and Use Tax; and

32 Whereas, Unappropriated balances and projected year-end revenue surpluses in various
33 other General Revenue sources will only offset a small portion of these deficits; and

34 Whereas, The total projected year-end revenue deficit for the General Revenue Fund prior
35 to any budget or revenue adjustments was estimated at \$464.5 million; and

36 Whereas, On October 22, 2015, the Governor issued Executive Order 7-15 which directed
37 a spending reduction for General Revenue appropriations for fiscal year 2016 totaling
38 \$93,379,526; and

39 Whereas, The Legislature agreed to take voluntary action to effect a four percent spending
40 reduction of its General Revenue appropriation for fiscal year 2016 totaling \$938,067; and

41 Whereas, The Governor recommended and the Legislature passed SB 342, that reduced
42 General Revenue appropriations to the Department of Health and Human Resources and the
43 Bureau of Senior Services by \$53,900,000; and

44 Whereas, During the 2016 regular session the Legislature passed HB 4155, which expired
45 \$22,989,375 to the Medical Services Trust Fund from various special revenue balances; and

46 Whereas, The Secretary of the Department of Revenue has submitted a monthly General
47 Revenue Fund Collections Report for the first ten months of fiscal year 2016 as prepared by the
48 State Budget Office; and

49 Whereas, This report, which includes approximately \$110 million of additional revenue
50 collected due to previous legislative actions in SB 364 and SB 419 during the 2016 regular
51 session, demonstrates that the State of West Virginia has experienced a revenue shortfall of

52 approximately \$218.7 million for the first ten months of fiscal year 2016, as compared to the
53 monthly revenue estimates for the first ten months of the fiscal year 2016; and

54 Whereas, An additional \$63 million is anticipated to be collected in May and June due to
55 legislative action in SB 419; and

56 Whereas, There still remains an estimated deficit of \$111 million that must be addressed;
57 and

58 Whereas, The Governor intends to issue an additional Executive Order to reduce
59 spending from General Revenue appropriation for the Department of Health and Human
60 Resources for fiscal year 2016 totaling up to \$45,797,000; and

61 Whereas, The Revenue Shortfall Reserve Fund may be drawn on in the event of a revenue
62 shortfall in lieu of imposing additional reductions in appropriations; and

63 Whereas, The Legislature finds that the account balances ~~in the Governor's Office, Civil~~
64 ~~Contingent Fund, fund 0105, fiscal year 2004, organization 0100, appropriation 61400; in the~~
65 ~~Governor's Office, Civil Contingent Fund Total Surplus, fund 0105, fiscal year 2005,~~
66 ~~organization 0100, appropriation 23800; in the Governor's Office, Civil Contingent Fund, fund~~
67 ~~0105, fiscal year 2006, organization 0100, appropriation 61400;~~ in the Joint Expenses, Tax
68 Reduction and Federal Funding Increased Compliance (TRAFFIC), fund 0175, fiscal year 2009,
69 organization 2300, appropriation 64200; in the Treasurer's Office, Personal Income Tax Reserve
70 Fund, fund 1313, fiscal year 2016, organization 1300; in the Attorney General, Consumer
71 Protection Recovery Fund, fund 1509, fiscal year 2016, organization 1500; in the Department of
72 Health and Human Resources, West Virginia Health Care Authority – Health Care Costs Review
73 Fund, fund 5375, fiscal year 2016, organization 0507; in the Department of Revenue, Office of
74 the Secretary - Revenue Shortfall Reserve Fund, fund 7005, fiscal year 2016, organization 0701;
75 in the Department of Revenue, Insurance Commissioner – Insurance Commission Fund, fund
76 7152, fiscal year 2016, organization 0704; in the Department of Revenue, Lottery Commission,
77 Operating and Expenses Fund, fund 7200, fiscal year 2016, organization 0705; and in the Public

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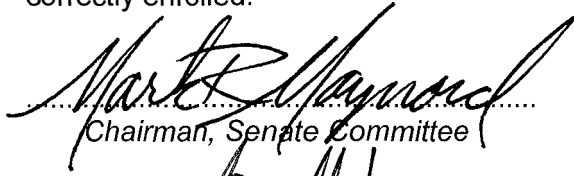
78 Service Commission, fund 8623, fiscal year 2016, organization 0926, exceed that which is
79 necessary for the purposes for which the accounts were established; therefore

Be it enacted by the Legislature of West Virginia:

1 That the balance of the funds available for expenditure in the fiscal year ending June 30,
2 2016, in the ~~Governor's Office, Civil Contingent Fund, fund 0105, fiscal year 2004, organization~~
3 ~~0100, appropriation 61400, be decreased by expiring the amount of \$1,000,000; in the Governor's~~
4 ~~Office, Civil Contingent Fund Total Surplus, fund 0105, fiscal year 2005, organization 0100,~~
5 ~~appropriation 23800, be decreased by expiring the amount of \$1,000,000; in the Governor's~~
6 ~~Office, Civil Contingent Fund, fund 0105, fiscal year 2006, organization 0100, appropriation~~
7 ~~61400, be decreased by expiring the amount of \$1,000,000;~~ Joint Expenses, Tax Reduction and
8 Federal Funding Increased Compliance (TRAFFIC), fund 0175, fiscal year 2009, organization
9 2300, appropriation 64200, be decreased by expiring the amount of \$3,150,000; in the Treasurer's
10 Office, Personal Income Tax Reserve Fund, fund 1313, fiscal year 2016, organization 1300, be
11 decreased by expiring the amount of \$3,000,000; in the Attorney General, Consumer Protection
12 Recovery Fund, fund 1509, fiscal year 2016, organization 1500, be decreased by expiring the
13 amount of \$8,500,000; in the Department of Health and Human Resources, West Virginia Health
14 Care Authority – Health Care Costs Review Fund, fund 5375, fiscal year 2016, organization 0507,
15 be decreased by expiring the amount of \$2,500,000; in the Department of Revenue, Office of the
16 Secretary - Revenue Shortfall Reserve Fund, fund 7005, fiscal year 2016, organization 0701, be
17 decreased by expiring the amount of \$32,000,000; in the Department of Revenue, Insurance
18 Commissioner – Insurance Commission Fund, fund 7152, fiscal year 2016, organization 0704, be
19 decreased by expiring the amount of \$5,000,000; in the Department of Revenue, Lottery
20 Commission, Operating and Expenses Fund, fund 7200, fiscal year 2016, organization 0705, be
21 decreased by expiring the amount of \$4,631,089.49; and in the Public Service Commission, fund
22 8623, fiscal year 2016, organization 0926, be decreased by expiring the amount of \$2,000,000,
23 all to the unappropriated balance of the State Fund, General Revenue, to be available during the
24 fiscal year ending June 30, 2016.

GRT

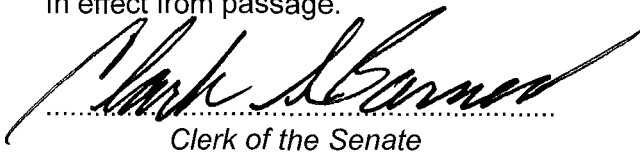
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


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Chairman, Senate Committee

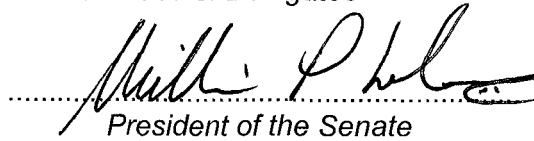

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Chairman, House Committee

Originated in the Senate.

In effect from passage.

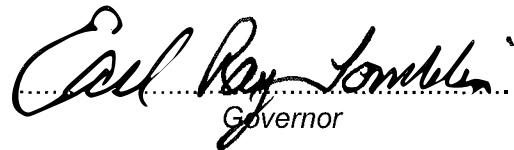

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


.....
Speaker of the House of Delegates

The within *is approved with amendments 2nd*
Day of *June*, 2016.


.....
Governor

PRESENTED TO THE GOVERNOR

JUN 01 2016

Time 1:00 pm